REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES,

FOR THE YEAR

1873-74.

BENGAL SECRETARIAT

Calcutta:
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1874.

No. 35.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

TO

THE SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Dated Fort William, the 24th July 1874.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the annual report of the business of the Court for the year 1873-74 ending 31st March last.

2. The number of cases instituted in the Court during the year was 34,583, being a decrease of 260 as compared with the number instituted during the year ending 31st March 1873. The average number of cases for each day was 130·3.

3. The following comparative table shows the increase and decrease of institutions during the year:—

CLASS OF CASES	In 1872-73.	In 1873-74.	Increase.	Decrease.
Under Rupees 5	7,859	7,717	.....	142
„ 10	7,182	6,906	.....	276
„ 20	7,174	7,462	288	..
„ 50	6,550	6,499	..	51
„ 100	2,719	2,703	.....	16
„ 200	1,609	1,652	43	.....
„ 300	647	612	.....	35
„ 400	307	335	28	.....
„ 500	221	190	.....	31
„ 600	170	172	2	.....
„ 700	136	98	.....	38
„ 800	87	88	1	.....
„ 900	73	61	...	12
„ 1,000	62	61	.....	1
Above Rupees 1,000	47	27	.....	20
Total ...	34,843	34,583	362	622
Deduct Increase ...	.....	.....	.....	362
Net Decrease ...	.....	...	.....	260

4. The amount in litigation was Rs. 16,11,535-5-1. Rs. 3,41,187-2-3 were paid into Court, and Rs. 3,32,970-11-10 paid out of Court.

5. There were 8,701 warrants in execution of decrees, including attachments, issued during the year just ended, as against 9,297 issued during the previous year, showing a decrease of 596. This very great difference is, we think, explained by the Head Bailiff in his report, a copy of which is annexed. We drew attention in last year's report (paragraphs 15 to 17) to two decisions of the High Court relating to tiled huts and short-date summonses, and we then remarked that they would probably exercise an important effect on the future pecuniary results of the working of the Court. We are of opinion that the report now submitted fully bears out the views than entertained by us. A reference to the table annexed to the Head Bailiff's letter will show the sums realized monthly for 14 months, from April 1872 to May 1873, by the seizure and sale of tiled huts, and the immediate stoppage from June 1873 of this means of

executing writs. Comparing, therefore, the last 10 months of the year under report with the corresponding 10 months of the previous year, it will be seen that the value of decrees has fallen off by Rs. 13,014 during that period.

6. A reference to table 8 of the report will show that only 386 distresses for rent were issued during the year as against 722 issued in 1872-73, being a decrease altogether of more than 50 per cent. This result may also be attributed to the inability of landlords to seize tiled huts for the rents due to them, as had previously been the rule. Of these 386 distresses, 12 only were subsequently set aside, and 5 remained unexecuted.

7. The receipts on account of—

	Rs.	A.	P.	Rs.	A.	P.
Commission and fees, &c., have been				2,07,759	3	0
From which is to be deducted salaries of the Judges	74,980	10	3			
Cost of establishment	83,583	1	9			
House-rent	14,400	0	0			
Contingent expenses	3,929	14	1			
Bailiffs' commission	3,638	12	0			
				1,80,532	6	1
Balance to the credit of the Court, c ...				27,226	12	11

This sum is less by Rs. 17,229-13-8 than the balance to the credit of the Court at the end of the last year; but inasmuch as the number of regular suits has diminished by some 260 only, the decrease in revenue must mainly arise from the small number of applications for distresses and after-judgment processes rather than from any loss under the head of institution fees, except perhaps to some extent in a certain class of cases which, but for the difficulty of realizing the decrees in consequence of the decision referred to, would have been instituted.

8. The following statement exhibits the result of cases set down for hearing during the year:—

Number of cases pending in 1872-73	1,206	
Ditto instituted	34,583	
		35,789
Decided in favor of plaintiffs after trial	7,859	
Decided in favor of plaintiffs *ex parte*	6,902	
Dismissed after trial	1,383	
Nonsuited	3,569	
Compromised	11,557	
Struck off in default of plaintiffs	3,059	
Pending at the close of the year	1,460*	
		35,789

9. The number of bench-warrants applied for and granted have increased considerably, being 84 as against 56. The process of bringing up a defendant under a bench-warrant before judgment and before the hearing of the suit is often an extremely harsh measure, and is only adopted because the practice formerly followed by the Court of issuing short-date summonses was deemed to be illegal.

10. The Court has no such power as all civil courts working under Act VIII of 1859 have to attach property before judgment. This inconvenience, and the inconvenience felt by landlords and creditors generally in no longer being able to regard tiled huts as a readily available security for the money due to them, seem particularly to call for some interference on the part of the Legislature, and in many other respects the Act requires amendment.

We have the honor to be,

SIR,

Your most obedient servants,

G. S. FAGAN,
KOONJOLAL BANERJEE,
R. S. T. MACEWEN,
GIDEON C. SCONCE,
} *Judges.*

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* Partly heard and adjourned 220
Returnable in 1874-75 1,240
1,460

Dated Fort William, the 21st July 1874.

From—The Deputy Clerk and Head Bailiff,

To—The Offg. Fifth Judge, Calcutta Court of Small Causes.

I HAVE the honor to submit for the information of the Judges the usual detail statement showing the number of after-judgment processes applied for and how executed during the year under report.

I regret to have to remark that the applications for warrants have fallen off as compared with 1872-73 by 596. Towards this decrease the seal-warrants have contributed 529, and the body-warrants 67. I would also, while on the subject, draw the attention of the Court to the serious decrease in the distraint writs. These have fallen off by 336, which is less by half than that of last year, and that in the face of a steady increase in previous years. These facts unmistakably tend to show that the ruling of the High Court in the matter of tiled huts has materially, if not altogether, helped to bring about the present results.

The subjoined statement showing amounts realized by sale of tiled huts in execution of decrees will, I think, prove most conclusively to what extent the interests of the Court and the public have been affected by this order. The stoppage to the sale of tiled huts came into force in the early part of May.

Statement showing the amounts realized by sale of tiled huts from 1*st April* 1872 *to May* 1873.

Months.	1872-73. Rs. A.	1873-74. Rs A.
April	1,599 4	1,003 4
May	975 0	130 0
June	1,478 0	.....
July	2,252 2	.....
August	742 8	. ....
September	1,619 0	... ..
October	780 0	.....
November	1,682 0	.....
December	1,658 8	.....
January	804 0	.....
February	1,291 8	.....
March	712 0	. ....
Total	15,588 14	1,133 4

Of the 8,701 executions applied for, money was realized fully or partially in 5,711 cases, columns 3 and 4; and the remaining writs were not carried into execution by the parties themselves, thus leaving only 2,320 unproductive for the reasons stated in column 5.

The number of writs executed is less than that of last year by 520; but the percentage, 65·6, of realized judgments in cases in which execution has issued has remained nearly the same—a result which I would ascribe to the two plans introduced by me, viz. of delivering writs to bailiffs residing in the neighbourhood of judgment-debtors instead of to bailiffs in the original suit, as well as of delivering writs over the value of Rs. 100, and against natives, to native instead of Christian bailiffs on the usual indemnity bond.

The cause of warrants referred to in column 5 having been returned unexecuted has been explained in former years' reports, and I have nothing fresh to add.

There have been three complaints against this branch of the Court's establishment during the year. Two bailiffs were dismissed and one suspended, which is an improvement on last year.

On the whole I trust the result will be accepted as satisfactory.

No. 1.—PART I.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the Twenty-Fourth Year of its institution, viz. from 1st April 1873 to 31st March 1874.

Months.	1			2	3	4	5	6	7	8	9	10	11	12	13	14		15	16	17
	Number of suits instituted.			The English cases bear to the native cases the ratio of	Number of summonses issued.	Number of second summonses issued.	Number of subpœnas issued.	Number of attachments issued.	Number of writs of execution issued.	Number of bench warrants issued.	Number of copies of judgment issued.	Number of commitments issued.	Number of releases issued.	Number of cases referred to arbitration.	Number of warrants to sue and defend filed.	Number of powers filed by attorneys.	Number of powers filed by pleaders.	Number of days in which the court was open.	Average number of suits instituted.	Amount litigated in the suits instituted.
	English.	Native.	Total.																	
1873.																				Rs. A. P.
April	544	2,172	2,716	3·9	3,423	92	2,490	6	762	6	48	39	35	38	570	27	543	21	129·3	1,38,865 6 2
May	537	2,411	2,948	4·4	3,711	96	3,080	8	747	5	46	45	44	41	579	40	539	26	113·3	1,45,729 6 1
June	532	2,371	2,903	4·4	3,573	84	2,984	2	684	7	38	37	35	51	489	30	459	24	120·9	1,29,080 10 5
July	576	2,827	3,403	4·9	4,213	130	3,276	3	848	3	33	51	51	51	611	37	574	27	126·0	1,67,222 6 0
August	618	2,956	3,574	4·7	4,485	111	3,333	1	791	9	33	46	42	30	580	45	535	25	142·9	1,62,651 5 6
September	500	2,291	2,791	4·5	3,580	94	3,198	3	1 080	7	44	60	54	63	820	43	777	22	126 8	1,46,675 4 11
October	115	342	457	2·9	585	14	264	1	72	1	2	17	32	6	27	1	26	3	152·3	23,116 2 10
November	536	2,748	3,284	5·1	4,146	125	2,858	4	712	7	40	32	33	59	577	31	546	25	131·3	1,42,346 13 9
December	420	2,173	2,593	5·1	3,252	79	2,385	4	679	7	38	43	39	60	499	27	472	21	123·4	1,23,113 4 4
1874.																				
January	472	2,613	3,085	5·5	3,875	103	2,882	3	717	8	63	35	38	70	808	16	492	24	128·5	1,42,361 4 3
February	486	2,610	3,096	5·3	3,891	108	2,711	3	742	13	43	42	48	49	571	37	534	23	134·6	1,24.490 5 3
March	604	3,129	3,733	5·1	4,734	148	3,372	6	823	11	58	50	37	76	632	49	583	25	149·3	1,65,932 15 8
Total ...	5,940	28,643	34,583	4 8	43,468	1,184	32,781	44	8,657	84	486	496	488	594	6,463	383	6,080	266	130·3	16,11,535 5 1

	Days.
The court was closed on account of Sundays	52
Christmas Day, H. M.'s Birthday, and Good Friday	4
Vacation in December	6
Hindoo Holidays, including Dussoharrah vacation	37
Total number of days on which the court was closed	99
Number of sitting days	266
	365

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 1.—PART II.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the Twenty-Fourth year of its institution, from 1st April 1873 to 31st March 1874.

Months.	Graduated digest of cases instituted.																Disposal of suits set down for hearing.							Commission and fees paid in stamps on suits instituted.	Amount of half costs refunded to suitors in cases compromised before hearing and remitted by order of the Judges
	Under Rs. 5	Under Rs 10.	Under Rs 20.	Under Rs. 50.	Under Rs. 100.	Under Rs 200	Under Rs. 300.	Under Rs 400.	Under Rs. 500.	Under Rs 600.	Under Rs 700.	Under Rs. 800.	Under Rs 900.	Under Rs. 1,000	Above Rs. 1,000	Total.	Judgment for plaintiff.	Judgment for defendant.	Struck off.	Nonsuited.	Compromised	Pending.	Total.		
1873.																								Rs A P.	Rs. A P
April	560	531	535	556	233	148	51	31	19	16	6	7	11	9	3	2,716	1,212	98	238	316	937	...	2,801	21,134 7 0	3,006 2 0
May	627	552	674	553	241	168	46	26	18	19	8	10	4	10	2	2,948	1,288	125	280	226	972	...	2,991	21,264 13 0	3,471 14 0
June	633	648	586	529	234	141	59	23	11	17	7	5	4	4	2	2,903	1,248	114	240	369	941	...	2,912	19,084 7 0	2,619 0 6
July	801	693	712	610	234	163	63	40	34	17	12	9	4	7	4	3,403	1,449	129	233	377	1,101	...	3,289	24,306 1 0	3,370 11 6
August	836	679	789	647	282	178	61	37	20	16	5	8	8	6	2	3,574	1,379	128	279	324	1,090	..	3,200	23,845 7 0	2,954 7 3
September	554	527	639	574	203	139	64	22	23	19	12	7	3	3	2	2,791	1,238	146	301	351	1,239	...	3,645	21,223 14 6	4,630 1 6
October	98	101	99	83	33	20	6	4	2	3	3	3	2	.		457	62	9	21	33	25	..	150	3,203 7 6	101 7 0
November	723	726	736	588	232	150	43	32	12	15	10	8	5	3	1	3,284	1,263	131	327	291	983	..	2,995	20,460 0 6	2,413 6 0
December	548	490	543	542	219	128	42	28	10	12	11	7	5	5	3	2,593	1,280	109	284	292	1,075	..	2,980	18,143 8 0	2,743 2 6
1874.																									
January	738	608	633	581	248	134	57	27	10	11	8	14	4	7	5	3,085	1,176	106	310	251	901	...	2,744	20,715 10 6	2,471 9 6
February . ..	702	605	732	542	258	126	59	30	15	13	8	1	2	3	.	3,096	1,309	114	245	276	1,122	.	3,066	18,990 6 0	3,087 4 6
March	897	748	784	694	286	167	61	35	16	14	8	9	9	4	3	3,733	1,487	174	301	423	1,171	1,460	3,556	23,585 7 6	3,450 8 6
Total ...	7,717	6,906	7,462	6,499	2,703	1,652	612	335	190	172	98	88	61	61	27	34,583	14,761	1,383	3,059	3,569	11,557	1,460	34,329	2,35,956 9 6	34,349 10 9

Calcutta Court of Small Causes,

The 21st July 1874.

Thomas Jones,

Offg 5th Judge and Clerk of the Court.

No. 2.

Comparative Table of cases set down for hearing from 1st April 1872 to 31st March 1873, and from 1st April 1873 to 31st March 1874, showing how they are disposed of.

Months.		Judgment for plaintiff.	Judgment for defendant.	Nonsuit and struck off.	Compromised.	Total
April ...	1872	1,369	111	559	946	2,985
	1873	1,212	98	554	937	1,801
May ...	1872	974	104	431	610	2,119
	1873	1,288	125	606	972	2,991
June ...	1872	1,109	100	477	757	2,443
	1873	1,248	114	609	941	2,912
July ...	1872	1,757	156	647	1,500	4,060
	1873	1,449	129	610	1,101	3,289
August ...	1872	1,524	142	708	1,067	3,441
	1873	1,379	128	603	1,090	3,200
September ...	1872	1,894	183	806	1,493	4,376
	1873	1,608	146	652	1,239	3,645
October ...	1872	288	26	156	232	701
	1873	62	9	54	25	150
November ...	1872	997	114	521	649	2,281
	1873	1,263	131	618	983	2,995
December ...	1872	996	106	550	709	2,361
	1873	1,280	109	516	1,075	2,980
January ...	1873	1,466	143	696	1,129	3,424
	1874	1,176	106	561	901	2,744
February ...	1873	1,292	124	583	954	2,953
	1874	1,309	114	521	1,122	3,066
March ...	1873	1,526	142	657	1,044	3,369
	1874	1,487	174	724	1,171	3,556
Total	1873	15,182	1,450	6,791	11,090	34,513
	1874	14,761	1,383	6,628	11,557	34,329

Undecided; postponed after being called for hearing—

In 1872-73	1,206
In 1873-74	1,460
Postponed after being partly heard in 1873-74 ...	220
Instituted towards the close of the year, but not returnable till after close of the official year	1,240
Total ...	1,460

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 3.

Statement showing the number of Cases pending on the 31st March 1874.

	Number of cases partly heard and postponed.								
	For service of summons.	For witnesses.	For attachment.	At the request of the parties to the suit.	Referred to arbitration.	By order of the court.	Total.	Instituted before, but not returnable till after the close of the year.	Grand total.
1st Judge	4	2	3	7	10	4	30	.....	
2nd Judge	.....	1	.....	6	1	1	9	.....	
3rd Judge	18	18	.....	16	15	.....	67	.....	
4th Judge	19	1	.....	16	26	41	103	.....	
5th Judge	2	2	.....	4	2	1	11	1,240	
Total ...	43	24	3	49	54	47	220	1,240	1,460

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 4.

Abstract Statement of Cases set down for hearing and disposed of from 1st April 1873 to 31st March 1874.

Months.	Judgment for plaintiffs.	Judgment for defendants.	Struck out.	Nonsuited.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.
1873.								
April	1,212	98	238	316	937	2,801	.....	2,716
May	1,288	125	280	326	972	2,991	.....	2,948
June	1,248	114	240	369	941	2,912	.....	2,903
July	1,449	129	233	377	1,101	3,289	.....	3,403
August	1,379	128	279	324	1,090	3,200	.....	3,574
September	1,608	146	301	351	1,239	3,645	.....	2,791
October	62	9	21	33	25	150	.....	457
November	1,263	131	327	291	983	2,995	.....	3,284
December	1,280	109	284	232	1,075	2,980	.....	2,593
1874.								
January	1,176	106	310	251	901	2,744	.....	3,085
February	1,309	114	245	276	1,122	3,066	.....	3,096
March	1,487	174	301	423	1,171	3,556	1,460	3,733
Total ...	14,761	1,383	3,059	3,569	11,557	34,329	1,460	34,583

Calcutta Court of Small Causes,
The 21st July 1874.

Thomas Jones,
Offg. 5th Judge and Clerk of the Court.

No. 5.

Comparative Statement of Commission and Fees realized and credited to Government in 1872-73 *and in* 1873-74.

Months.	1872-73. On account of fees received on the institution and prosecution of suits and on account of distresses for rents.	Months.	1873-74. On account of fees received on the institution and prosecution of suits and on account of distresses for rents.	Total increase of fees in 1873-74.	Total decrease of fees in 1873-74.	Remarks.
1872.	Rs. A. P.	1873.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
April	18,588 12 3	April	18,128 5 0	.....	460 7 3	
May	16,089 15 9	May	17,792 15 0	1,702 15 3	.....	
June	17,180 8 3	June	16,465 6 6	.....	715 1 9	
July	21,260 6 0	July	20,934 5 6	.....	326 0 6	
August	19,997 2 3	August	20,890 15 9	893 13 6	.....	
September	25,930 2 6	September ...	16,563 13 0	.....	9,366 5 6	
October	831 6 3	October	3,102 0 6	2,270 10 3	.....	
November	18,680 11 0	November ...	18,046 10 6	.....	634 0 6	
December	13,042 14 6	December ...	15,400 5 6	2,357 7 0	.....	
1873.		1874.				
January	22,545 12 0	January	18,244 1 0	.....	4,301 11 0	
February	19,201 6 3	February	15,903 1 6	.....	3,298 4 9	
March	21,869 3 0	March	21,393 7 3	.....	475 11 9	
Total ...	2,15,218 4 0	Total ...	2,02,865 7 0	7,224 14 0	19,577 11 0	

	Rs. A. P.	
Deduct increase ...	7,224 14 0	Or a decrease of more than 5¼ per cent. over the receipts of last year.
Net decrease ...	12,352 13 0	

Calcutta Court of Small Causes,
The 21st July 1874.

Thomas Jones,
Offg. 5th Judge and Clerk of the Court.

No. 6.

Abstract Statement of sums received and paid out to suitors and others from 1st April 1873 to 31st March 1874.

1873.			Rs.	A.	P	1873.			Rs.	A.	P
To cash received on account of suitors, &c., in		April,	32,600	8	3	By cash paid out to suitors, &c., in		April ...	32,644	0	9
Ditto	ditto	May,	36,041	0	10	Ditto	ditto	May	33,846	9	9
Ditto	ditto	June,	27,599	7	8	Ditto	ditto	June ...	28,489	4	6
Ditto	ditto	July,	31,226	2	7	Ditto	ditto	July ...	33,645	5	1
Ditto	ditto	Aug.,	32,918	15	8	Ditto	ditto	Aug. ...	29,704	0	3
Ditto	ditto	Sept.,	35,538	5	0	Ditto	ditto	Sept. ...	37,026	6	6
Ditto	ditto	Oct.,	8,862	1	9	Ditto	ditto	Oct. ..	3,561	11	6
Ditto	ditto	Nov.,	26,026	6	8	Ditto	ditto	Nov. ...	28 252	14	4
Ditto	ditto	Dec.,	21,233	12	10	Ditto	ditto	Dec. ...	24,897	9	3
1874.						1874.					
To cash received on account of suitors, &c., in		Jan.,	26,926	9	5	By cash paid out to suitors, &c., in		Jan. ..	24,530	6	9
Ditto	ditto	Feb.,	27,578	13	9	Ditto	ditto	Feb. ...	25,949	3	0
Ditto	ditto	Mar.,	35,234	14	3	Ditto	ditto	March ...	30,423	4	2
	Total		3,41,187	2	3		Total		3,32,970	11	10

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 7.

Table showing the nature of cases heard and decided from 1st April 1873 to 31st March 1874.

	Months.												
	April 1873.	May 1873.	June 1873.	July 1873.	August 1873.	September 1873.	October 1873.	November 1873.	December 1873.	January 1874.	February 1874.	March 1874.	Total.
Goods sold and delivered .	1,066	1,170	1,090	1,316	1,342	1,284	80	1,049	1,195	1,140	1,294	1,472	13,448
Bills of exchange and promissory note.	156	185	107	216	147	250	12	135	148	127	178	185	1,906
Wages	228	225	218	269	190	260	11	249	205	205	219	248	2,527
Work and labour ...	212	197	231	242	217	255	9	195	203	152	191	248	2,353
Money paid	65	75	63	78	80	85	7	59	65	72	58	75	782
Money lent	372	392	392	363	441	543	23	430	427	378	446	442	4,649
Money had and received	79	70	77	79	76	106	9	107	70	77	50	87	887
Account stated	52	71	62	52	40	43	...	45	88	39	47	59	548
Use and occupation	186	221	227	281	222	320	11	280	252	182	199	260	2,641
On judgment	8	2	3	3	4	13	..	4	7	6	3	9	62
Guarantee	6	10	7	9	12	6		8	11	8	16	15	108
Partnership balance	1	1	2	..	1	4		2	2	2	...	3	18
Other actions in assumpsit ..	128	128	136	141	160	184	10	190	138	138	113	172	1,638
Trover	67	62	60	57	59	74	6	62	46	46	52	72	663
Actions in the case	107	97	97	113	137	119	3	97	110	110	108	129	1,227
Trespass to property	1	...	2	1	3	6	..	4	2	5	3	1	28
Assault	33	35	40	30	30	40	7	34	23	26	31	24	353
Replevin	.	1	1	2	.	1				..	1	..	6
Interpleader claim	28	43	30	31	28	41	12	35	27	24	41	37	377
Recovery of small tenements ..	2	1	3	3	5	8		6	10	5	7	2	52
Ejectment	1	1	3	1	3	3	...	4	1	2	3	15	42
Against executors and administrators	3	4	1	2	3	...	...				1	1	15
Total ...	2,801	2,991	2,912	3,289	3,200	3,645	150	2,995	2,980	2,744	3,066	3,556	34,329

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 8.

Statement showing the Statistics of the Distraint Department of the Court under Act VII of 1847, form 1st April 1873 to 31st March 1874.

Months.	Distraint compromised before appraisement.	Sales.	Distresses set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distresses set aside after appraisement.	Total number of distresses for rent.	Amount of rent for which distresses were issued.	Commission and fees deposited.
1873.								Rs. A. P.	Rs. A. P
April	44	13	1	.....	5	.....	63	4,195 11 9	678 0 0
May	22	2	1	.....	5	.....	30	2,051 12 4	316 12 0
June	14	4	.....	.....	2	2	22	897 15 0	148 12 0
July	24	1	2	1	5	.....	33	2,482 3 9	381 12 0
August	28	2	5	1	5	.....	41	3,573 0 0	544 4 0
September ...	36	2	.....	1	.....	.....	39	2,605 5 0	409 4 0
October... ...	4	.....	.....	.....	1	.....	5	802 11 0	110 8 0
November ...	26	5	1	.....	1	.....	33	2,812 6 10	544 8 0
December ...	16	3	1	1	1	.....	22	1,166 14 9	181 8 0
1874.									
January ...	24	7	.....	1	3	.....	35	1,719 10 3	279 0 0
February ...	24	4	.....	.....	2	.....	30	1,758 9 6	276 4 0
March	25	5	1	.....	2	.....	33	2,161 7 3	338 8 0
Total ...	287	48	12	5	32	2	386	26,227 11 5	4,209 0 0

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 9.

Statement showing the amount of Fines from 1st April 1873 *to* 31*st March* 1874.

Months.	Amount. Rs. A. P.	Months.	Amount. Rs. A. P.
April 1873	2 2 0	December 1873	6 0 0
May „	8 2 0	January 1874	1 0 0
June „	.....	February „	2 0 0
July „	7 0 0	March „	0 12 0
August „	16 0 0		
September „	10 0 0	Total ...	54 8 0
October „	.....		
November „	1 8 0		

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 10.

Statement showing the salaries of the Judges, costs of the Establishment, House Rent, Contingent and other charges, from 1st April 1873 to 31st March 1874.

Months.	Salaries of Judges.	Establishment charges.	House rent.	Commission allowed to Bailiffs.	Contingent charges.	Total
1873.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April ...	6,300 0 0	6,979 4 9	1,200 0 0	314 8 0	459 4 6	15,253 1 3
May ...	6,300 0 0	7,005 10 6	1,200 0 0	351 10 0	305 11 9	15,163 0 3
June ...	6,300 0 0	7,056 0 6	1,200 0 0	388 0 0	151 15 6	15,096 0 0
July ...	6,300 0 0	7,026 11 9	1,200 0 0	245 6 0	399 13 0	15,171 14 9
August ...	6,300 0 0	6,826 2 0	1,200 0 0	355 10 0	118 6 9	14,800 2 9
September ...	6,300 0 0	6,801 15 9	1,200 0 0	320 8 0	263 7 7	14,885 15 4
October ...	6,300 0 0	6,821 10 6	1,200 0 0	.....	19 0 0	14,340 10 6
November ...	6,300 0 0	7,299 14 6	1,200 0 0	*446 0 0	349 5 9	15,595 4 3
December ...	6,300 0 0	6,942 0 0	1,200 0 0	315 6 0	172 15 3	14,930 5 3
1874.						
January ...	6,351 9 9	6,942 0 0	1,200 0 0	332 12 0	515 4 6	15,341 10 3
February ...	6,029 0 6	6,941 8 0	1,200 0 0	282 2 0	116 15 9	14,569 10 3
March ...	5,900 0 0	6,940 3 6	1,200 0 0	286 14 0	1,057 9 9	15,384 11 3
Total ...	74,980 10 3	83,583 1 9	14,400 0 0	3,688 12 0	3,929 14 1	1,80,532 6 1

* September and October 1873.

Calcutta Court of Small Causes,
The 21st July 1874.

Thomas Jones,
Offg. 5th Judge and Clerk of the Court.

No. 11.

Statement showing the net amount credited to Government from 1st April 1873 to 31st March 1874.

Months.	Commission and fees paid in stamps, &c.	Fines.	Unclaimed suitors' money.	Savings and refunded charges.	Total amount credited.
1873.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April	18,128 5 0	2 2 0	382 4 3	.....	18,512 11 3
May	17,792 15 0	8 2 0	515 11 6	0 1 0	18,316 13 6
June	16,465 6 6	.....	192 0 3	.....	16,657 6 9
July	20,934 5 6	7 0 0	626 10 3	3 0 0	21,570 15 9
August	20,890 15 9	16 0 0	653 5 9	1 0 0	21,561 5 6
September	16,563 13 0	10 0 0	420 3 6	.....	16,994 0 6
October	3,102 0 6	.....	177 5 6	.....	3,279 6 0
November	18,046 10 6	1 8 0	266 4 9	.....	18,314 7 3
December	15,400 5 6	6 0 0	321 12 9	.....	15,728 2 3
1874.					
January	18,244 1 0	1 0 0	.....	.....	18,245 1 0
February	15,903 1 6	2 0 0	.....	.....	15,905 1 6
March	21,393 7 3	0 12 0	1,294 8 6	.....	22,688 11 9
Total ...	2,02,865 7 0	54 8 0	4,850 3 0	4 1 0	2,07,774 3 0
Deduct refund of fines ...	.....	.....	.....	.....	15 0 0
Net receipts ...	.....	.....	.....	.....	2,07,759 3 0

Calcutta Court of Small Causes,
The 21st July 1874.

Thomas Jones,
Offg. 5th Judge and Clerk of the Court.

No. 12.

Statement of Indigent Debtors relieved from 1st April 1873 to 31st March 1874, prepared in conformity with Mr. Secretary Eden's letter No. 873T., dated 1st October 1868.

Date and Months.	Names of Parties relieved.	Amount paid.
1873.		Rs. A. P.
8th April	Luckhee Money Bawah	5 0 0
6th May	H. Crook	21 4 0
14th „	C. F. Smith	3 0 0
2nd June	Mrs. Jane Newcomb	4 14 0
21st „	J. Gomes	61 15 0
16th July	Mrs. E. M. Wakefield	31 14 0
11th August	H. Crook	60 0 0
21st „	Lewis Small	10 0 0
24th September	Mrs. Jane Newcomb	7 10 0
10th December	H. Crook	44 13 0
1874.		
9th February	Mrs. M. Wingrove	3 14 0
11th „	T. W. Babonau	40 0 0
16th „	W. T. Weskin	39 10 0
21st „	C. Gardener	27 4 0
6th March	J. A. Cockburn	25 0 0
24th „	C. Gardener	40 0 0
31st „	Mrs. C. DeSouza	8 2 0
	Total ...	434 4 0

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 13.

Statement of the number of Ex parte Cases disposed of by the Judges of the Calcutta Court of Small Causes from 1st April 1873 to 31st March 1874.

	1st Judge.	2nd Judge.	3rd Judge.	4th Judge.	5th Judge.	Total.
1873.						
April	29	95	132	122	193	571
May	39	100	135	126	182	582
June	33	124	126	110	175	568
July	59	117	153	112	240	681
August	34	136	137	142	227	676
September	41	143	152	179	215	730
October	.....	3	2	4	12	21
November	22	98	146	110	199	575
December	31	137	144	137	193	642
1874.						
January	33	112	132	112	217	606
February	26	140	106	115	221	608
March	34	141	119	121	227	642
Total	381	1,346	1,484	1,390	2,301	6,902

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No.

Comparative

	1st Year, 1850-51.	2nd Year, 1851-52.	3rd Year, 1852-53.	4th Year, 1853-54.	5th Year, 1854-55.
	No.	No.	No.	No.	No.
Number of cases instituted ... English ...	4,407	4,544	4,796	4,397	4,492
Native ...	16,916	23,205	22,085	20,058	20,201
Total ...	21,323	27,749	26,881	24,455	24,693
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated	4,47,381 0 0	5,31,499 12 4	5,17,063 5 10	5,06,820 11 10	5,25,139 3 4
Commission and fees paid into court on institution of suits	59,531 14 6	73,038 8 9	73,763 13 0	73,212 14 3	75,870 7 9
Amount credited to Government: Net amount of commission and fees credited to Government on suits ...	57,452 13 6	74,799 4 9	77,202 4 9	75,180 7 6	73,393 9 6
Ditto on distresses for rent	1,510 7 0	1,778 8 0	1,969 8 0	16,229 0 0	1,430 12 0
Amount credited to Government on account of fines	651 6 6	595 4 3	484 13 3	786 15 9	240 12 3
Ditto on account of unclaimed monies belonging to suitors and landlords ...	.....	.....	.....	.....	.....
Ditto on account of savings from salaries, sale of old furnitures, records, &c....	207 6 0	712 0 3	100 9 3	.....	695 3 3
Net total amount credited to Government in the cash account	59,822 1 0	77,875 1 3	79,757 3 3	77,596 7 3	75,760 5 5
Amount paid into court under decrees ...	2,46,313 0 0	2,81,804 11 0	1,14,017 2 9	1,08,620 7 11	1,12,190 14 4
Amount paid out of court on account of decrees	2,43,604 0 0	3,79,736 2 9	1,12,694 4 9	1,08,112 6 6	1,11,247 0 6
	No.	No.	No.	No.	No.
Number of days in which the court was open ...	258	274	277	260	235
Average number of cases instituted daily ...	82·6	101·2	96·6	94·0	105·0
Cases under Rs. 5	.....	.....	.....	.....	.....
Ditto „ 10	12,791	18,111	17,178	15,155	15,103
Ditto „ 20	3,363	4,389	4,495	4,231	4,382
Ditto „ 50	2,422	3,275	3,226	3,085	3,103
Ditto „ 100	792	948	1,028	992	1,065
Ditto „ 200	480	586	546	558	600
Ditto „ 300	186	224	217	222	213
Ditto „ 400	86	116	98	108	130
Ditto „ 500	67	100	95	104	97
Ditto „ 600	.....	.....	.....	.....	.....
Ditto „ 700	.....	.....	.....	.....	.....
Ditto „ 800	.....	.....	.....	.....	.....
Ditto „ 900	.....	.....	.....	.....	.....
Ditto „ 1,000	.....	.....	.....	.....	.....
Number of summonses issued	51,889	68,174	65,863	59,118	58,951
Ditto second summonses	.....	9,306	7,574	5,605	3,085
Ditto subpœnas	18,952	23,399	21,920	19,017	18,612
Ditto attachments	.....	809	1,368	853	320
Ditto writs of execution	3,918	4,964	6,029	5,243	4,939
Ditto bench warrants	.....	.....	157	142	79
Ditto copies of judgments	167	215	226	176	137
Ditto commitments	448	624	1,040	611	623
Warrants to sue and defend filed	2,170	3,205	2,675	3,106	3,340
Judgment for plaintiffs	8,339	10,548	9,512	8,993	8,896
Ditto defendants...	688	952	1,747	1,742	1,403
Non-suited	4,172	5,831	6,532	2,752	2,543
Struck out and compromised	6,655	10,222	9,419	11,583	11,168
Undecided and pending	333	380	284	406	156
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised	10,533 5 6	9,939 11 9	6,341 9 9	12,004 15 6	11,091 2 3

14.

Table.

6th Year, 1855-56.	7th Year, 1856-57.	8th Year, 1857-58.	9th Year, 1858-59.	10th Year, 1859-60.	11th Year, 1860-61.	12th Year, 1861-62.
No.	No.	No.	No.	No.	No.	No.
5,617	6,254	5,834	5,450	6,452	6,524	6,650
21,421	22,412	25,009	24,506	25,885	25,253	26,574
27,038	28,666	30,843	29,956	32,287	31,777	33,224
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
6,63,241 11 11	7,38,111 2 6	8,01,824 6 0	7,65,412 11 1	9,35,003 0 9	9,78,939 4 10	11,19,418 6 0
90,844 10 3	1,01,464 2 9	1,12,778 12 9	1,09,260 7 6	1,33,317 7 6	1,39,247 12 6	1,53,436 0 3
90,333 9 3	1,00,801 14 0	1,12,624 6 9	1,07,918 0 9	1,28,992 15 3	1,36,073 3 9	1,57,258 5 3
1,543 4 0	1,000 0 0	1,157 0 0	839 0 0	1,482 12 0	1,529 8 0	11,187 4 0
253 14 9	493 5 3	343 5 9	202 8 0	191 12 0	125 0 0	330 0 0
.....	785 4 9	9,720 13 3	1,868 0 3	1,467 12 10	1,431 14 3	2,314 2 10
28 0 9	15 9 6	255 9 5	88 2 9	8 15 6	6 1 8	10 4 1
92,158 12 9	1,03,096 1 6	1,24,101 3 2	1,10,915 11 9	1,32,144 3 7	1,39,165 11 8	1,61,100 5 2
1,39,573 15 7	1,72,972 6 8	1,98,524 3 1	1,84,062 0 10	2,16,926 14 10	2,20,051 5 4	2,48,762 7 1
1,40,190 7 3	1,70,817 14 2	1,98,633 0 10	1,84,084 3 2	2,16,302 0 2	2,18,821 13 11	2,44,001 3 3
No.	No.	No.	No.	No.	No.	No.
254	246	250	246	249	253	259
106·4	116·5	123·3	121·7	129·6	125·6	128·2
.....	.....	.....	.....	.....	.....	.....
15,727	16,325	17,363	16,067	17,032	16,695	16,948
4,871	5,174	5,708	5,850	6,118	5,791	6,310
3,723	4,088	4,417	4,745	4,869	5,019	5,258
1,400	1,511	1,649	1,618	2,088	2,100	2,189
734	903	932	932	1,205	1,114	1,216
344	331	391	387	483	510	646
133	173	169	172	257	296	370
106	161	214	185	235	252	287
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	...	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
64,281	67,687	61,405	70,012	42,877	42,351	40,942
2,056	1,887	1,724	1,358	757	834	910
20,717	22,812	22,777	23,279	25,414	24,733	29,116
474	246	418	337	378	455	239
6,474	7,168	8,078	7,694	8,203	8,088	8,430
39	30	19	14	25	18	13
173	184	217	236	348	431	413
572	609	629	539	666	509	510
4,128	4,700	5,743	4,574	5,088	5,025	6,211
11,068	2,211	13,281	12,447	13,657	13,048	14,156
1,239	1,022	1,154	1,412	1,617	1,726	1,886
3,028	3,208	3,350	2,996	2,721	3,448	2,803
11,490	11,927	12,939	13,133	14,088	13,847	14,104
102	160	154	91	156	179	157
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
11,846 0 0	12,908 6 6	14,779 13 3	14,722 0 0	17,889 5 3	18,918 3 0	22,865 14 6

No.

Comparative

	13th Year, 1862-63.	14th Year, 1863-64.	15th Year, 1864-65.	16th Year, 1865-66.	17th Year, 1866-67.
	No.	No.	No.	No.	No.
Number of cases instituted ... English ...	6,282	6,408	6,820	7,226	6,244
Native ...	27,299	28,472	29,128	30,098	27,707
Total ...	33,581	34,880	35,948	37,324	33,951
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated	10,54,228 11 7	12,10,023 6 11	17,68,551 4 7	20,20,398 4 3	17,32,378 12 0
Commission and fees paid into court on institution of suits	1,49,970 0 6	1,64,503 15 9	2,17,400 0 6	2,33,371 3 3	2,00,994 1 6
Amount credited to Government. Net amount of commission and fees credited to Government on suits ...	1,49,725 12 6	1,63,728 2 0	2,12,255 13 9	2,26,522 5 9	1,98,700 7 6
Ditto on distresses for rent	1,553 8 0	1,274 12 0	1,269 8 0	2,312 12 0	2,745 4 0
Amount credited to Government on account of fines	263 1 9	102 7 0	345 12 6	114 8 0	283 2 3
Ditto on account of unclaimed monies belonging to suitors and landlords ...	3,056 4 9	3,106 1 6	3,517 1 2	1,720 2 5	3,330 5 3
Ditto on account of savings from salaries, sale of old furnitures, records, &c. ...	0 12 3	192 5 3	87 10 0	209 11 0	109 5 0
Net total amount credited to Government in the cash account	1,54,599 7 3	1,68,4 3 11 9	2,17,475 13 5	2,30,879 7 2	2,05,228 8 0
Amount paid into court under decrees	2,37,201 6 11	2,57,248 7 6	3,48,294 2 5	3,14,584 7 0	2,68,476 12 5
Ditto out of court on account of decrees ...	2,38,380 8 5	2,56,034 7 5	3,43,264 14 0	3,17,521 12 10	2,66,356 12 2
	No.	No.	No.	No.	No.
Number of days in which the court was open ...	265	267	261	263	240
Average number of cases instituted daily ...	126·7	130·6	137·7	141·9	141·40
Cases under Rs. 5	.....	.....	.....	.....	.....
Ditto „ 10	18,889	19,838	20,501	20,768	19,867
Ditto „ 20	5,686	6,199	5,724	6,281	5,610
Ditto „ 50	4,136	3,394	3,378	4,080	3,154
Ditto „ 100	2,372	2,630	2,852	2,486	2,278
Ditto „ 200	1,378	1,205	1,471	1,563	1,118
Ditto „ 300	590	765	807	693	639
Ditto „ 400	306	405	414	447	441
Ditto „ 500	224	368	256	302	222
Ditto „ 600	.....	6	161	140	153
Ditto „ 700	.....	2	121	158	124
Ditto „ 800	.....	2	90	139	105
Ditto „ 900	.....	3	70	122	93
Ditto „ 1,000	.....	3	104	145	103
Number of summonses issued	43,042	44,789	46,807	48,218	43,603
Ditto second summonses	1,219	1,425	1,207	1,515	925
Ditto subpœnas	30,670	31,857	30,882	35,302	25,721
Ditto attachments	132	153	74	24	23
Ditto writs of execution	8,264	9,128	9,403	9,000	7,925
Ditto bench-warrants	15	17	25	28	7
Ditto copies of judgments	352	370	268	438	433
Ditto commitments	510	520	573	580	506
Warrants to sue and defend filed	5,030	5,950	6,108	5,820	4,245
Judgment for plaintiffs	14,125	14,688	15,326	16,138	14,803
Ditto for defendants	1,986	2,182	2,023	1,813	1,488
Nonsuited	3,046	2,863	2,918	3,520	3,749
Struck out and compromised	14,395	15,129	15,612	15,882	13,434
Undecided and pending	107	169	153	171	1,666
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised	22,076 4 6	24,071 3 9	30,194 10 0	35,568 3 3	27,419 7 3

CALCUTTA COURT OF SMALL CAUSES,

The 21st July 1874.

14.

Table.—(Continued).

18th Year, 1867-68.	19th Year, 1868-69.	20th Year, 1869-70.	21st Year, 1870-71.	22nd Year, 1871-72.	23rd Year, 1872-73.	24th Year, 1873-74.
No.	No.	No.	No.	No.	No.	No.
6,593 23,621	5,912 25,767	6,695 27,645	6,447 25,892	6,384 25,152	6,566 28,277	5,940 28,643
30,214	31,679	34,340	32,339	31,536	34,843	34,583
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
16,45,704 4 10	16,98,669 4 0	16,40,525 15 5	16,07,311 8 7	15,28,938 10 2	16,23,110 7 11	16,11,535 5 1
2,11,840 2 6	2,21,692 2 3	2,45,036 14 6	2,36,626 4 0	2,25,866 6 6	2,47,396 7 0	2,35,956 9 6
2,10,540 0 6 1,639 8 0	2,21,311 4 3 1,265 4 0	2,26,040 7 3	2,07,706 3 0	1,97,409 5 6	2,15,218 4 0	2,02,865 7 0
141 8 0	262 0 0	169 10 0	111 0 0	85 4 0	114 12 0	54 8 0
4,256 14 11	4,356 4 5	5,797 8 9	5,477 4 9	5,543 15 9	7,051 4 3	4,850 3 0
17 14 0	19 12 0	13 8 0	5 6 0	.....	144 9 6	4 1 0
2,16,595 13 5	2,27,214 8 8	2,32,021 2 0	2,13,301 13 9	2,03,038 9 3	2,22,528 13 9	2,07,774 3 0
3,04,351 13 9	3,06,719 9 4	3,90,984 11 4	3,66,869 11 9	3,76,171 1 6	4,03,612 6 4	3,41,187 2 3
3,02,320 5 0	3,11,799 8 4	3,96,035 3 6	3,68 956 1 6	3,69,432 15 9	3,99,836 5 7	3,32,970 11 10
No.	No.	No.	No.	No.	No.	No.
254	253	254	248	245	264	266
118·95	125·22	135·19	130·3	128·7	131·9	130·3
.....	.....	.....	.....	6,805	7,859	7,717
16,298	12,669	14,486	13,286	6,652	7,182	6,906
5,257	6,656	7,044	6,741	6,518	7,174	7,462
3,542	6,094	6,619	6,239	6,034	6,550	6,499
2,014	2,588	2,702	2,659	2,412	2,719	2,703
1,093	1,723	1,617	1,560	1,496	1,609	1,652
576	655	657	662	556	647	612
357	355	334	362	335	307	335
288	209	250	232	202	221	190
187	168	190	153	172	170	172
153	151	127	124	110	136	98
137	108	110	95	87	87	88
128	90	65	89	60	73	61
145	125	129	137	97	109	88
39,830	40,851	43,588	40,883	39,729	44,136	43,468
1,005	1,346	1,286	1,517	1,508	1,510	1,184
29,488	30,354	30,229	31,435	31,031	32,918	32,781
14	12	16	13	39	47	44
7,436	7,291	8,054	8,392	8,500	9,250	8,557
8	3	4	7	2	56	84
377	420	511	570	484	419	486
381	321	367	363	358	428	496
3,781	4,830	5,677	6,343	5,986	6,897	6,468
13,008	13,876	15,897	14,196	14,900	15,183	14,761
1,565	1,562	1,444	1.354	1,397	1,450	1,383
3,698	3,786	3,385	3,178	3,221	3,548	3,569
12,570	12,944	13,530	13,196	12,709	14,333	14,616
1,039	1,070	1,154	1.569	876	1,206	1,460
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
29,462 10 3	31,683 11 9	28,858 0 3	31,122 4 6	29,919 0 0	34,523 1 3	34,349 10 9

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

No. 15.

Statement showing the number of Mofussil Commissions issued to the Calcutta Court of Small Causes under Section 177 *of Act VIII of* 1859 *for the year* 1873-74.

Months.	Number of Commissions received.	Number of Commissions executed.	Number of witnesses examined.	By what Judge disposed of.
1873.				
April	18	10	15	5th Judge
May	15	11	18	Ditto.
June	18	16	20	Ditto.
July	14	10	19	Ditto.
August	21	18	26	Ditto.
September	7	5	11	Ditto.
October	.....	.....	.....	Ditto.
November	8	4	14	Ditto.
December	17	13	19	Ditto.
1874.				
January	22	16	18	Ditto.
February	9	6	11	Ditto.
March	18	15	20	Ditto.
Total ...	167	124	191	.....

Calcutta Court of Small Causes,
The 21*st July* 1874.

Thomas Jones,
Offg. 5th Judge and Clerk of the Court.

No. 16.

Statement showing the number of after-judgment processes issued during the year from 1*st April* 1873 *to* 31*st March* 1874.

1	2	3	4	5	6	7	8
	Number of processes applied for.	Number in which money was deposited after processes applied for, but before execution.	Number executed.	Number unexecuted and returned with the remark *nulla bona non est inventus.*	Number of writs applied for but not carried into execution by the parties themselves.	Number pending on 31st March 1874.	Total number of claims, cols. 3 to 7.
Seal warrants	2,898	90	2,260	356	620	32	3,358
Body warrants	5,803	122	3,239	1,904	.....	18	5,343
Total	8,701	212	5,499	2,320	620	50	8,701
Copies of judgments and certificates for execution out of the jurisdiction of the Court							486

	Seal warrants.	Body warrants.
By 3 European bailiffs	649	871
„ 5 Native seal „	161	.....
„ 40 body warrant „	.....	2,368
	2,260	3,239 = 5,499

Calcutta Court of Small Causes,
The 21*st July* 1874.

Thomas Jones,
Offg. 5th Judge and Clerk of the Court.

No. 17.

Statement showing the number of cases decreed wholly and partially by each Judge from 1st April 1873 to 31st March 1874.

		First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1873.							
April	Wholly	61	180	310	264	301	1,116
	Partially	16	55	.....	.....	25	96
May	Wholly	71	207	319	305	274	1,176
	Partially	14	68	.....	.....	30	112
June	Wholly	53	243	302	296	242	1,136
	Partially	12	65	.....	.....	35	112
July	Wholly	94	230	330	315	349	1,318
	Partially	12	87	.....	.....	32	131
August	Wholly	63	242	306	331	318	1,260
	Partially	18	63	.....	.....	38	119
September	Wholly	78	274	349	359	340	1,395
	Partially	19	109	.....	52	33	213
October	Wholly	2	11	16	6	18	53
	Partially	1	3	5	.....	.....	9
November	Wholly	52	202	291	267	307	1,119
	Partially	12	56	54	.....	22	144
December	Wholly	60	221	289	297	273	1,140
	Partially	13	57	55	.....	15	140
1874.							
January	Wholly	53	183	246	212	288	982
	Partially	4	80	35	55	20	194
February	Wholly	54	248	207	323	306	1,137
	Partially	17	85	39	.....	31	172
March	Wholly	52	279	248	337	338	1,252
	Partially	30	119	58	.....	28	235
Total	Wholly	688	2,520	3,211	3,311	3,354	13,084
	Partially	168	847	246	107	309	1,677

CALCUTTA COURT OF SMALL CAUSES,
The 21st July 1874.

THOMAS JONES,
Offg. 5th Judge and Clerk of the Court.

RESOLUTION.

JUDICIAL DEPARTMENT.

Calcutta, the 1st October 1874.

READ—

A letter No. 35 of 24th July 1874, from the Judges of the Calcutta Court of Small Causes, being their Annual Report for the year 1873-74.

LAST year's report showed a considerable increase in litigation, which was attributed partly to the increased briskness in trade. From the present report it would appear that this increase has not been entirely sustained. The suits instituted in 1873-74 were 34,583 in number against 34,843 in the previous year. The amount under litigation was Rs. 16,11,535-5-1, or Rs. 11,575-2-10 less than in the previous year. The decrease this year, such as it is, in the business of the Small Cause Court, is perceptible chiefly in the class of cases under ten rupees, and calls for no special remarks. The Judges of the Court point out that cases of distress for rents have fallen off by more than 50 per cent., and apprehend that difficulties have been thrown in the way of the recovery of just dues by the rulings of the High Court, which were specially noticed in the previous report. Now that it is known, however, that tiled huts cannot be seized in the execution of decrees, it seems probable that landlords have made other arrangements to meet the difficulty, and to secure themselves from loss. It is certainly not a matter for regret that they should be able to do so without an increased resort to the Courts.

2. The Lieutenant-Governor cannot view without some apprehension the increasing resort which is had to the practice of granting bench-warrants for the arrest of defendants before judgment, and before the hearing of suits. Open to abuse as was the previous practice of issuing short-date summonses, the public will have gained little by its abolition, if a practice still more calculated to be oppressive is introduced. The Lieutenant-Governor thinks it right to suggest the caution that no such warrants should be issued, unless the process be justified by strong reasons based on carefully ascertained facts. The Judges must bear in mind that it rests with the Criminal Courts to repress fraud and crime by the punishment of offenders, and that it rests with them to aid these Courts by a strict and prompt inquiry in every case where a resort to fraudulent and dishonest practices is suspected. The policy of the law is plainly indicated by its withholding from them the power of attaching property before judgment. Whether this power shall be granted, and if so, under what limitations, is a question which may be discussed when the Acts under which the Court is constituted come under revision.

3. Of suits instituted during the year 5,940 were English, and 28,643 Native suits. The claims made chiefly concerned goods sold and delivered, rent, wages, and money lent. Of 35,789 cases set down for hearing during the year, 11,557 were compromised; 9,242 cases only were tried out, or 765 less than the previous year. In nearly six of these cases out of seven, decree was in favor of plaintiffs, who in addition gained 6,902 cases decided *ex parte*. On the other hand, they lost 6,628 cases, which were struck off in default or on non-suit. Of 1,460 cases pending at the close of the year, 1,240 were not triable till the following year. The number of cases which stood adjourned was 103 less than in the previous year, and about one-half of them stood over either at the request of the parties, or for arbitration.

4. The distribution of the work so far as it is to be gathered from the statements rendered, refers only to the cases decreed wholly or partially in favor of plaintiffs, and was as follows :—

	Ex parte cases.	Cases tried out.	Total.
1st Judge	381	475	856
2nd Judge	1,346	2,021	3,367
3rd Judge ...	1,484	1,973	3,457
4th Judge	1,390	2,028	3,418
5th Judge	2,801	1,362	3,663
Total ...	6,902	7,859	14,761

The disproportion of the work disposed of by the First Judge, compared with that disposed of by the others, continues to be marked, and is not altogether explained by the larger value of the suits heard by him

5. The decrease in litigation has been accompanied by a falling off of Rs. 12,352-13 or more than 5½ per cent. on the receipts of last year. The total amount of fees realised was Rs. 2,02,865-7-0. Adding fines, refunds, and unclaimed suitors' money, the net amount credited to Government was Rs. 2,07,759-3-0 against an expenditure of Rs. 1,80,532-6-1. The receipts and payments on account of suitors were Rs. 3,41,187-2-3, and Rs. 3,32,970-11-10, respectively. If the amount of property under litigation is accepted as any criterion of the improved circumstances of the community, or of the appreciation of the Small Cause Court system, the increase in the business and in the receipts of the Court since its first institution, more than 20 years ago, must be accepted as gratifying.

ORDERED, that copy of the above Resolution be forwarded to the Judges of the Calcutta Small Cause Court for information.

By order of the Lieutenant-Governor of Bengal,

RIVERS THOMPSON,

Secretary to the Government of Bengal.

No. 3885.

COPY forwarded to the Judges of the Calcutta Court of Small Causes for information.

By order of the Lieutenant-Governor of Bengal,

J. CRAWFURD,

Offg. Under-Secy. to the Govt. of Bengal.

CALCUTTA,
The 1st October 1874.

N. T. W.